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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,069	12/02/2003	Stuart Antony Green	21709-ZOO-017	4890

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EXAMINER	
DANG, HUNG Q	

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/727,069	GREEN ET AL.	
	Examiner	Art Unit	
	Hung Q. Dang	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 January 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *47-94* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *47-94* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 01/29/2010 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

Claims 47-85 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 47, 56, 66, and 76 recite "GOP structures of an MPEG standard", which is subject matter which was not described in the specification.

Claims 48-55, 56-65, 67-75, and 77-85 are rejected because they depend on independent claims 47, 56, 66, and 76 respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 47-94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collar et al. (US 2005/0008348 – hereinafter Collar) and Murase et al. (US Patent 5,907,658 – hereinafter Murase).

Regarding claim 47, Collar discloses a method of generating a random number associated with a user initiated interruption of a video sequence *([0008]-[0011])*, comprising: sequentially presenting to a user a plurality of group-of-picture ("GOP") structures collectively providing a first video sequence *(Fig. 2; Fig. 5; [0011]; [0052] – wherein at least the plurality of playback cells corresponds to a plurality of group-of-picture and wherein the first video sequence corresponds to the video sequence that is viewed by users prior a selection)*, a group-of-picture structure having a predetermined seed component and a navigation component *(Fig. 2; Fig. 3; Fig. 5; Fig. 6; [0048]; [0057]; Fig. 9a – wherein the seed component corresponds to a predetermined value that sets an upper bound for a random number, which is either the numerical value of 7 as shown in line CMND.1 of Fig. 6 or the numerical value 49 as shown in line Cmd.4 of Fig. 9a and wherein the navigation component corresponds to any set of commands comprising one ore more of the link commands shown in Fig. 6)*; in response to a user initiated interruption during the presentation of a GOP structure, receiving the seed component and the navigation component from the interrupted GOP structure *([0008]-[0011]; Figs. 5-6; Figs. 9 – wherein the interruption is initiated by user selection to interrupt the playback of current audio/video presentation to the target audio/video presentation)*; providing a random number based at least in part on the seed component *([0008]-[0011]; [0058]; Fig. 6; Figs. 9; Fig. 13)*; and linking or jumping to a second video sequence identified by the navigational component *([0008]; Figs. 1-4)*.

However, Collar does not disclose the group-of-picture structures are of an MPEG standard, each of group-of-picture structure having a predetermined seed component and a navigation component.

Murase in the same field of endeavor discloses each of group-of-picture structure of an MPEG standard having a predetermined seed component and a navigation component *(column 12, lines 12-17, 45-54; column 17, lines 61-67 – wherein each GOP is formed in a VOB unit or VOBU as further described in column 43, line 1 and Fig. 18 – each VOBU has a management information pack comprising a PCI pack and a DSI pack as shown at least in Fig. 7D – each PCI pack comprises a field of highlight information as shown in Fig. 10A – the highlight information structure has a highlight command field, in which a random command, which corresponds to the recited predetermined seed component, is located as described in column 17, lines 60-67 and a navigation component as described in column 21, lines 36-44 and column 26, lines 35-40).*

One of ordinary skill in the art at the time the invention was made would have been motivated to modify Collar by incorporating the teachings of Murase. The incorporated feature is desirable for the reason of enhanced speed (Murase, column 27, lines 10-13).

Regarding claim 48, Collar also discloses the seed component is combined with a system generated number to provide the random number *(Fig. 6; Figs. 9; [0048]; [0058]).*

Regarding claim 49, Collar and Murase also disclose each GOP structure has as associated active button, each active button having an associated button command that is performed in response to a navigation engine detecting invocation of a respective active button of a currently active GOP structure, invocation of the active button directing a corresponding button command to provide the seed component and the navigation component *(Collar: Fig. 6; Fig. 10; [0008]-[0011] - Murase: Fig. 10B; Fig. 19A)*.

Regarding claim 50, Collar also discloses a time varying nature of the user initiated responses provides a human based random element to overcome defective implementations of a RND function and/or defective register counting *([0012])*.

Regarding claim 51, Collar and Murase also disclose the random number seeds a random number generator *(Collar: [0009] – Murase: column 17, lines 61-67)*.

Regarding claim 52, Collar also discloses the presentation of the plurality of GOP structures is transparent, the user perceiving the first video sequence unaware of the transition from GOP structure to GOP structure and each structures associated seed component *(Figs. 1-6; [0008]-[0011] – wherein user can only see the presentation of the video sequence without being aware of how individual GOPs are internally structured therefore unaware of any transition of GOP structure)*.

Regarding claim 53, Collar also discloses the first video sequence is repeated until the user interruption is initiated *(Fig. 1; [0011])*.

Regarding claim 54, Collar also discloses the method is stored on a non-transitory computer-readable medium as a computer program, which when executed by

a computer will perform the stems of generating a random number associated with a user initiated interruption of a video sequence *([0008]-[0011])*.

Regarding 55, Collar also discloses a computing device configured to perform the method of generating a random number associated with a user initiated interruption of a video sequence as presented in claim 47*([0008]-[0011])*.

Claim 56 is rejected for the same reason as discussed in claim 47 above.

Claim 57 is rejected for the same reason as discussed in claim 48 above.

Claim 58 is rejected for the same reason as discussed in claim 49 above.

Claim 59 is rejected for the same reason as discussed in claim 50 above.

Claim 60 is rejected for the same reason as discussed in claim 51 above.

Claim 61 is rejected for the same reason as discussed in claim 52 above.

Claim 62 is rejected for the same reason as discussed in claim 53 above.

Regarding claim 63, Collar also disclose in a first instance the seed component of each GOP structure is a unique value *(Fig. 6; the first instance being the instance when the CMND.1 is executed with the unique value of 7)*, and in a second instance the seed component of each GOP structure is a navigation command to a location providing a unique value *(Fig. 6; the second instance being the instance when the CMND.2 is executed with the location providing a unique value being the register GPRM12)*.

Regarding claim 64, Collar also discloses the navigation component is the same for all GOP structures *(Figs. 9; Fig. 15e - wherein the navigation component is a LinkPGCN command, which is used for all GOP structures)*.

Regarding claim 65, Collar also discloses the computer readable medium is a DVD *([0007]; [0038])*.

Regarding claim 66, Collar discloses an audiovisual product recorded on a recording medium *([0007]-[0011]; [0038])*, the audiovisual product structured and arranged to provide a random number associated with a user initiated interruption of a video sequence when read by a DVD reading system *([0007]-[0011]; [0038]-[0039])*, the product comprising: a data structure recorded on the recording medium comprising data defining: at least a first video sequence provided by a sequential plurality of group-of-picture ("GOP") structures, a GOP structure having a predetermined seed component and a navigation component *(Figs. 1-6; [0011]; [0052]; [0058] – wherein at least the plurality of playback cells corresponds to a plurality of group-of-picture and wherein the first video sequence corresponds to the video sequence that is viewed by users prior a selection - [0048]; [0057]; Fig. 9a – wherein the seed component corresponds to a predetermined value that sets an upper bound for a random number, which is either the numerical value of 7 as shown in line CMND.1 of Fig. 6 or the numerical value 49 as shown in line Cmd.4 of Fig. 9a and wherein the navigation component corresponds to any set of commands comprising one ore more of the link commands shown in Fig. 6)*; at least one second video sequence *(Fig. 1; Fig. 4; Fig. 7; [0008] - wherein the second video sequence is the video sequence presented after step 30 of Fig.1, Fig. 4, or Fig. 7)*; and executable code which when executed by a playback device will present the first video sequence *(Fig. 1; Fig. 4; Fig. 7; [0008] - wherein the first video sequence is presented in initial step 32 of Fig.1, Fig. 4, or Fig. 7)*, and in response to a user initiated

interruption during the presentation of a GOP structure *([0008]-[0011]; Figs. 5-6; Figs. 9 – wherein the interruption is initiated by user selection to interrupt the playback of current audio/video presentation to the target audio/video presentation)* receiving the seed component and navigation component, the seed component used at least in part to provide a random number *([0008]-[0011]; [0058]; Fig. 6; Figs. 9; Fig. 13)*, the navigation component used by a navigation engine to link or jump to a determined second video sequence *([0008]; Figs. 1-4)*.

However, Collar does not disclose the group-of-picture structures are of an MPEG standard, each of group-of-picture structure having a predetermined seed component and a navigation component.

Murase in the same field of endeavor discloses each of group-of-picture structure of an MPEG standard having a predetermined seed component and a navigation component *(column 12, lines 12-17, 45-54; column 17, lines 61-67 – wherein each GOP is formed in a VOB unit or VOBU as further described in column 43, line 1 and Fig. 18 – each VOBU has a management information pack comprising a PCI pack and a DSI pack as shown at least in Fig. 7D – each PCI pack comprises a field of highlight information as shown in Fig. 10A – the highlight information structure has a highlight command field, in which a random command, which corresponds to the recited predetermined seed component, is located as described in column 17, lines 60-67 and a navigation component as described in column 21, lines 36-44 and column 26, lines 35-40)*.

One of ordinary skill in the art at the time the invention was made would have been motivated to modify the Collar's audiovisual product by incorporating the teachings of Murase. The incorporated feature is desirable for the reason of enhanced speed (Murase, column 27, lines 10-13).

Regarding claim 67, Collar also discloses the product is a DVD and the playback device is a DVD player *([0038]-[0039])*.

Claim 68 is rejected for the same reason as discussed in claim 48 above.

Claim 69 is rejected for the same reason as discussed in claim 49 above.

Claim 70 is rejected for the same reason as discussed in claim 50 above.

Claim 71 is rejected for the same reason as discussed in claim 51 above.

Claim 72 is rejected for the same reason as discussed in claim 52 above.

Claim 73 is rejected for the same reason as discussed in claim 53 above.

Claim 74 is rejected for the same reason as discussed in claim 63 above.

Claim 75 is rejected for the same reason as discussed in claim 64 above.

Claim 76 is rejected for the same reason as discussed in claims 66 and 67 above.

Claim 77 is rejected for the same reason as discussed in claim 48 above.

Claim 78 is rejected for the same reason as discussed in claim 49 above.

Claim 79 is rejected for the same reason as discussed in claim 50 above.

Claim 80 is rejected for the same reason as discussed in claim 51 above.

Claim 81 is rejected for the same reason as discussed in claim 52 above.

Claim 82 is rejected for the same reason as discussed in claim 53 above.

Claim 83 is rejected for the same reason as discussed in claim 63 above.

Claim 84 is rejected for the same reason as discussed in claim 63 above.

Claim 85 is rejected for the same reason as discussed in claim 64 above.

Claim 86 is rejected for the same reason as discussed in claim 47 above and further in view of Murase also disclosing the seed component of a first GOP structure of the first video sequence being different from the seed component of a second GOP structure of the first video sequence *(column 12, lines 12-17, 45-54; column 17, lines 61-67 – wherein each GOP is formed in a VOB unit or VOBU as further described in column 43, line 1 and Fig. 18 – each VOBU has a management information pack comprising a PCI pack and a DSI pack as shown at least in Fig. 7D – each PCI pack comprises a field of highlight information as shown in Fig. 10A – the highlight information structure has a highlight command field, in which a random command, which corresponds to the recited predetermined seed component, is located as described in column 17, lines 60-67 – thus each GOP has its own seed component).*

Claim 87 is rejected for the same reason as discussed in claim 50 above.

Claim 88 is rejected for the same reason as discussed in claim 52 above.

Claim 89 is rejected for the same reason as discussed in claim 86 above.

Claim 90 is rejected for the same reason as discussed in claim 50 above.

Claim 91 is rejected for the same reason as discussed in claim 52 above.

Claim 92 is rejected for the same reason as discussed in claim 66 above and further in view of Murase also disclosing the seed component of a first GOP structure of the first video sequence being different from the seed component of a second GOP

structure of the first video sequence *(column 12, lines 12-17, 45-54; column 17, lines 61-67 – wherein each GOP is formed in a VOB unit or VOBU as further described in column 43, line 1 and Fig. 18 – each VOBU has a management information pack comprising a PCI pack and a DSI pack as shown at least in Fig. 7D – each PCI pack comprises a field of highlight information as shown in Fig. 10A – the highlight information structure has a highlight command field, in which a random command, which corresponds to the recited predetermined seed component, is located as described in column 17, lines 60-67 – thus each GOP has its own seed component).*

Claim 93 is rejected for the same reason as discussed in claim 50 above.

Claim 94 is rejected for the same reason as discussed in claim 52 above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621